


FORM PTO-1390 (REV 11-98)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER BW-398-2
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>09/446232</b>
INTERNATIONAL APPLICATION NO. PCT/GB98/01586	INTERNATIONAL FILING DATE 29 MAY 1998 (29.05.98)	PRIORITY DATE CLAIMED 19 JUNE 97 (19.06.97)	
TITLE OF INVENTION SMOKING ARTICLE AND SMOKING ARTICLE MATERIAL THEREFOR			
APPLICANT(S) FOR DO/EO/US BIGGS, Philip J.; GILBERT, Richard T.; MCADAM, Kevin G.; NATARAJAN, Bhasker			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>			
Items 11. to 16. below concern document(s) or information included:			
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A substitute specification.</li> <li>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>16. <input checked="" type="checkbox"/> Other items or information: PCT (Form PCT/IB/308) - Notice Informing the Applicant of the Communication of the International Application to the Designated Offices;</li> </ol>			
Return Postcard evidencing receipt of above items.			

U.S. APPLICATION NO. (if known, see 37 CFR 1.51) <b>097/446232</b>		INTERNATIONAL APPLICATION NO. PCT/GB98/01586		ATTORNEY'S DOCKET NUMBER BW-398-2	
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. .... <b>\$970.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$840.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$760.00</b>  International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$670.00</b>  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$96.00</b>  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS</b> PTO USE ONLY          	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	26 - 20 =	6	X \$18.00	\$ 108.00	
Independent claims	3 - 3 =	0	X \$78.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$	
<b>SUBTOTAL =</b>				\$	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 988.00	
				Amount to be: refunded	
				charged	
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>988.00</u> to cover the above fees is enclosed.  b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.  c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
SEND ALL CORRESPONDENCE TO  John F. Salazar Middleton & Reutlinger 2500 Brown & Williamson Tower Louisville, Kentucky 40202					
				SIGNATURE:  John F. Salazar NAME <u>39,353</u> REGISTRATION NUMBER	

09/446232

514 Rec'd PCT/PTO 16 DEC 1999

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Washington, D.C., United States of America

In re Application  
of:

**BIGGS et al.**

Serial No.: **To be assigned**

Filed: **Herewith**

Group Art Unit:

For: **SMOKING ARTICLE AND SMOKING  
ARTICLE MATERIAL THEREFOR**

Examiner:

---

**PRELIMINARY AMENDMENT 'A'**

---

Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

Dear Sir:

Prior to prosecution on the merits, please enter the following preliminary  
amendment for the enclosed application:

**In the claims:**

In claim 3, line 1, please delete --or 2-- after the number "1".

In claim 6, line 1, please delete --to 5-- after the number "1".

In claim 9, line 1 and 2, please delete -- any one of the preceding claims -- and  
insert in place thereof "claim 1".

In claim 12, line 1 and 2, please delete -- any one of the preceding claims-- and  
insert in place thereof "claim 1".

In claim 14, line 1 and 2, please delete -- any one of the preceding claims -- and  
insert in place thereof "claim 1".

In claim 15, lines 1 and 2, please delete -- any one of the preceding claims -- and insert in place thereof "claim 1".

In claim 16, lines 1 and 2, please delete -- any one of the preceding claims -- and insert in place thereof "claim 1".

Please cancel claim 20.

In claim 21, line 1, please delete -- or 19 -- after the number "18".

In claim 22, lines 1 and 2, please delete -- any of one claims 18-21 -- and insert in place thereof "claim 18".

In claim 23, lines 1 and 2, please delete -- any of one claims 18-22 -- and insert in place thereof "claim 18".

In claim 24, lines 1 and 2, please delete -- any of one claims 18-23 -- and insert in place thereof "claim 18".

In claim 27, line 1, please delete -- or 26 -- after the number "25".

Please cancel claim 28-30.

#### REMARKS

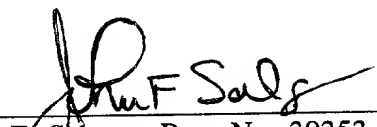
Please proceed with examination of the above referenced application taking into consideration the above listed preliminary amendment. After entry of this amendment, 26 claims remain in the present application, three independent. If further actions are required to complete such action, Applicant's Attorney would appreciate a call at 502 584 1135.

Respectfully submitted,

PCT/GB98/01586  
Atty. docket:BW-398-2

Respectfully submitted,

Dated: 12/14/99

  
\_\_\_\_\_  
John F. Salazar, Reg. No. 39353  
MIDDLETON & REUTLINGER  
2500 Brown & Williamson Tower  
Louisville, Kentucky 40202  
(502) 584-1135 phone, (502) 561-0442 fax  
email:jsalazar@middreut.com

Smoking Article and Smoking Material therefor

The subject invention relates to smoking articles, cigarettes for example, and smoking material therefor.

The patents literature contains many proposals for smoking materials for use in place of conventional cut tobacco cigarette filler.

It is an object of the subject invention to provide new smoking materials which provide for mainstream smoke which although containing low levels of tobacco derived components, is fully acceptable to the consumer.

The subject invention provides a smoking material comprising a non-polyol aerosol generator, up to 20% by weight tobacco, binder at not more than 20% by weight and not less than 30% by weight inorganic filler.

Triethylene glycol diacetate ('TEGDA'), glycerol triacetate ('triacetin') or glycerol diacetate ('diacetin'), for example, can be used as the non-polyol aerosol generator either individually or in combination. As is well known to those skilled in smoking article science and technology, TEGDA and triacetin are substances with an established use as plasticisers (bonding agents) for cellulose acetate cigarette-filter tow. It was thus surprising to find that these substances and similar substances, when used as aerosol generating substances in smoking materials according to the subject invention, provide aerosols in mainstream smoke which smokers register as very acceptable.

Non-polyol aerosol generator is usefully present in smoking materials of the subject invention at levels in a range of about 2% to about 30% by weight. More usually the range will be about 5% to about 20% by weight, and more usually 5-15%.

Total aerosol generator can include a polyol aerosol generator, such as for example one or more of glycerol, propylene glycol and triethylene glycol.

Smoking materials according to the subject invention can, as will be readily appreciated by those skilled in the art, be fabricated by slurring the components, in fine particulate form, with water and casting the slurry to sheet form on a band or wire sheet-forming machine or on a heated drum. An alternative is to feed a mixture of the components, together with water, to an extruder. The product of casting or extrusion is suitably cut and shredded to provide smoking material of particulate form.

If the components used to provide the smoking material do not include tobacco, then advantageously the smoking material, in particulate form, is blended with particulate tobacco. In such case, the smoking material expediently accounts for at least about 30% by weight of the blend. Suitably, the smoking material will account for the majority, by weight, of the blend, that is more than 50% by weight of the blend. The tobacco in the blend may be expanded tobacco.

A class of substance suitable for the selection therefrom of binder in smoking materials according to the subject invention is the alginates. Sodium alginate has been found to

be advantageous. Other suitable binder substances are celluloses or modified celluloses, hydroxypropyl cellulose or carboxymethyl cellulose, for example, starches or modified starches and natural gums.

Suitable substances for use as inorganic filler are calcium carbonate, perlite, vermiculite, diatomaceous earth, colloidal silica, magnesium oxide, magnesium sulphate, magnesium carbonate or other low density inorganic filler materials known to those skilled in the art.

In smoking materials according to the subject invention inorganic filler is preferably present at a level of at least about 35%, preferably at least about 40% and more preferably at least about 45% by weight.

In smoking materials according to the subject invention tobacco may be present at less than 15%, preferably less than 10% and more preferably less than 5%. The binder of smoking materials according to the invention may be present at less than 15%, and more preferably less than 10% by weight.

Smoking materials according to the subject invention may comprise one or more mechanical stabiliser or strengthening materials, examples being cocoa, sugar and fibre, paper fibre for instance. Expansion medium, such as starch, pullulan or other polysaccharides or foaming agents, for example, and high fat or high oil materials, such as cocoa butter or olive oil, corn oil, for example, may also be advantageously included.

Smoking material according to the invention may be used in a conventional smoking article, either blended with another



smoking material, which may be tobacco material, or not or in a coaxial arrangement, for example.

According to a second aspect of the subject invention a smoking article comprising a smokable rod and a filter, said rod comprising a core and an outer part, said core comprising a first particulate smoking material and a first cigarette paper wrapper enwrapping said first smoking material and said outer part comprising a second particulate smoking material disposed annularly about said core and a second cigarette paper wrapper enwrapping said second smoking material, wherein either of said first or said second smoking material comprises a non-polyol aerosol generator, up to 20% by weight tobacco, binder at not more than 20% by weight and not less than 30% by weight inorganic filler.

As will be observed, one of the said smoking materials of the smoking article of the second aspect of the subject invention is as per the smoking material of the first above recited aspect of the subject invention. The smoking material of the first above recited aspect of the subject invention may be present in both the first smoking material and the second smoking material of the smoking article above.

Preferably the said second smoking material of the smoking article is as per the smoking material of the first above recited aspect of the subject invention.

Expediently, the first smoking material is cut tobacco filler, suitably cut lamina filler.

Much by preference, in smoking articles in accordance with the subject invention both the core and the outer part of the

smokable rod extend over the full length of the rod. It is much by preference too for the core to be disposed coaxially of the rod.

In a third aspect of the invention, there is provided a smoking article comprising a smokable rod and a filter, the smokable rod comprising smoking material and the filter comprising filtration material provided with an elutable aerosol generator which is a polyol and/or a non-polyol aerosol generator, the aerosol generator being elutable from the filter upon smoking of the smoking article to enhance the aerosol provided from the smoking material.

The smoking article may be of a coaxial arrangement or non-coaxial arrangement.

Advantageously the smoking material comprises an aerosol generator, a binder and an inorganic filler, and is more advantageously comprised of a non-polyol aerosol generator, up to 20% by weight tobacco, binder at not more than 20% by weight and not less than 30% by weight inorganic filler. Alternatively the smoking material may comprise one or more of the aerosol generating means or aerosol generating fuel sources of our co-pending application filed on 6 September 1995 under International Patent Application No. PCT/GB 95/02110. As a further alternative, the smoking material may comprise conventional cut tobacco leaf material.

The aerosol generator may be a polyhydric alcohol, an ester, a high boiling point hydrocarbon, glycerol, propylene glycol, triethylene glycol, methylene glycol, methyl citrate, triacetin or diacetin, either alone or in combination.

In a smoking article of an exterior circumference conventional for a cigarette, i.e. c.25mm, the exterior circumference of the said core is suitably about 17mm.

EXAMPLE 1

A smoking article, a cigarette, exemplary of the subject invention comprised a core of approximately 17mm circumference, which core consisted of cut lamina filler conventional for ultra-slim cigarettes, such, for example, as the ultra-slim cigarette made by British American Tobacco (Germany) under the brand name CAPRICE, and a wrapper of conventional cigarette paper. The outer part of the cigarette disposed annularly about the core consisted of a blend of 50% by weight of expanded lamina tobacco and 50% by weight of a smoking material according to the subject invention enwrapped in an outer wrapper of low sidestream cigarette paper made by Glatz Inc. under the experimental designation GNS40MV. The expanded tobacco had been expanded by the well known Dry Ice Expanded Tobacco (DIET) tobacco expansion process. The smoking material according to the subject invention, which had been band cast and then cut and shredded, had a percentage composition by weight as follows.

TEGDA	2.6
Glycerol	6.5
Conventional Tobacco Blend (ground)	19.8
Sodium Alginate	9.9
Chalk	48.3
Cocoa	6.4

Demerera Sugar	3.0
Paper Fibre	3.5

The core and the outer part were lengthwise coterminous.

The cigarette according to the subject invention further comprised a conventional ventilated fibrous cellulose acetate filter.

#### EXAMPLE 2

A second exemplary smoking material in accordance with the subject invention is of a percentage composition by weight as follows.

TEGDA	6
Glycerol	6
Conventional Tobacco Blend (ground)	20
Sodium Alginate	10
Chalk	51
Cocoa	4
Demerera Sugar	3

This second smoking material in cut and shredded form could, for example, be blended with a conventional cut tobacco cigarette filler. The ratio in the blend of smoking material to filler might, for instance, be 7:3. The blend could be fed to a cigarette making machine to provide cigarette rod comprising the blend and a wrapper of conventional cigarette paper or a low sidestream paper, for example.

EXAMPLE 3

A third exemplary smoking material in accordance with the subject invention is of a percentage composition by weight as follows.

TEGDA	10
Glycerol	4
Sodium Alginate	8
Chalk	78

This third smoking material in cut and shredded form could, for example, be blended with conventional cut tobacco filler in a ratio of, for instance, 4:6 and used for the provision of cigarette rod.

EXAMPLE 4

The following three smoking material formulations were prepared for comparison. The compositions are percentage by weight of each component.

TABLE 1

	Sample Number		
	1	2	3
Triacetin	0	9.6	4
Glycerol	8.6	0	4
Conventional Tobacco Blend (ground)	20.3	20.1	20
Sodium Alginate	8.1	8	8
Fibre	1	1	1
Perlite	62	61.3	63

Smoke Deliveries

Puff No.	3.4	5.3	4.0
TPM (mg/cig)	7.5	5.3	7.6
Water (mg/cig)	2.7	0.8	2.1
Nicotine (mg/cig)	0.19	0.1	0.2
Glycerol (mg/cig)	1.11	n/m	n/m
Triacetin	n/m	2.03	n/m
NFDPM (mg/cig)	4.59	4.36	5.35
NAFDPM (mg/cig)	3.48	2.33	n/m

NAFDM = Nicotine, aerosol free dry particulate matter  
(aerosol being glycerol or triacetin).

NFDPM = Nicotine free dry particulate matter.

n/m = Not measured

The cigarettes were smoked under standard machine smoking conditions of 35cm<sup>3</sup> puff of 2 seconds duration taken every minute to a butt length of 35mm.

#### EXAMPLE 5

In order to observe the influence of an aerosol generator held on a filter element against a smoking article having a standard fibrous cellulose acetate filter the mixed glycerol and triacetin sheet (Sample 3 of Example 4 above) was used in smoking articles with an aerosol generator in the filter at various levels. The cigarettes were of 84mm length, c.8mm diameter with a 27mm filter element and were smoked under standard machine smoking conditions to 35mm butt length. The aerosol generator on the filter was propylene glycol (PG).

TABLE 2

	Sample Number				
	4	5	6	7	8
PG on filter (mg)	0	5	10	20	30
<u>Smoke Deliveries</u>					
Puff Number	4	4	4	3.75	4
TPM (mg/cig)	7.6	5.7	7.56	8.4	11.6
Water (mg/cig)	2.05	1.35	1.33	1.58	2.23
Nicotine (mg/cig)	0.20	0.17	0.17	0.13	0.15
NFDPM (mg/cig)	5.35	4.18	6.06	6.69	9.22
<u>% Smoke Composition</u>					
Water (%)	27.0	23.7	17.6	18.8	19.2
Nicotine(%)	2.6	3.0	2.2	1.5	1.3

It can be seen that the presence of additional aerosol generator dilutes the smoke constituents and provides a useful means for reducing the smoke delivery levels of various smoke components.

#### EXAMPLE 6

Other formulations of smoking material according to the invention were made according to Table 3. Additional materials included starch, oils and alkaline water. In Sample 58a a 0.1M solution of sodium carbonate was made up and added to the dry mixture instead of the usual water, until the required pH was reached. The compositions are percentage by weight of each component.



TABLE 3

Sample No.	Tobacco	Sodium Alginate	Sugar	Cocoa	Chalk	Glycerol	Tegda	Triacetin	Other Components
2a	20	10	15	4	39	6	6		
3a	20	10	3	20	35	6	6		
5a	20	10	3	4	37	6	20		
7a	20	10	3	4	51	6	-	6	
8a	20	10	3	4	37	6	-	20	
10a	20	10	3	4	51	-	12	-	
11a	18	9	3	4	56	-	10	-	
12a	20	10	3	4	41	6	6	-	10 (Paper Fibre)
16a	20	10	3	-	45	6	6	-	10 (Starch)
17a	20	10	3	-	45	6	6	-	10 (Cocoa Butter)
26a	20	25	3	4	36	6	6	-	
34a	20	10	3	-	45	6	6	-	10 (Corn oil)
39a	20	10	-	-	55	-	-	15	
41a	20	10	3	4	-	6	6	-	51 (Perlite)
42a	20	10	3	4	26	6	6	-	25 (Perlite)
51a	20	10	3	-	30	6	6	-	15 (Cooked Starch)
52a	20	10	-	-	55	-	-	-	15 (Olive Oil)
58a	20	10	3	4	51	6	6	-	pH=9.3

CLAIMS

1. A smoking material comprising a non-polyol aerosol generator, up to 20% by weight tobacco, binder at not more than 20% by weight and not less than 30% by weight inorganic filler.
2. A smoking material according to Claim 1, wherein said non-polyol aerosol generator is one or more of triethylene glycol diacetate, glycerol triacetate and glycerol diacetate.
3. A smoking article according to Claim 1 or 2, wherein said non-polyol aerosol generator is present in said smoking material in a range of about 2% to about 30% by weight.
4. A smoking material according to Claim 3, wherein said non-polyol aerosol generator is present in a range of about 5% to about 20% by weight.
5. A smoking material according to Claim 4, wherein said non-polyol aerosol generator is present in a range of about 5% to about 15% by weight.
6. A smoking material according to any one of Claims 1 to 5, wherein said inorganic filler is present in said smoking material at a level of at least 35% by weight.
7. A smoking material according to Claim 6, wherein said inorganic filler is present at a level of at least 40% by weight.
8. A smoking material according to Claim 7, wherein said inorganic filler is present at a level of at least 45% by weight.

9. A smoking material according to any one of the preceding claims, wherein said tobacco in said smoking material is present at less than 15% by weight.
10. A smoking material according to Claim 9, wherein said tobacco is present at less than 10% by weight.
11. A smoking material according to Claim 10, wherein said tobacco is present at less than 5% by weight.
12. A smoking material according to any one of the preceding claims, wherein said binder in said smoking material is present at less than 15% by weight.
13. A smoking material according to Claim 12, wherein said binder is present at less than 10% by weight.
14. A smoking material according to any one of the preceding claims, wherein said inorganic filler is one or more of calcium carbonate, perlite, vermiculite, diatomaceous earth, colloidal silica, magnesium oxide, magnesium sulphate, magnesium carbonate or other low density inorganic filler materials.
15. A smoking article according to any one of the preceding claims, wherein said binder is one or more of an alginate, celluloses or modified celluloses, starches or modified starches, and natural gums.
16. A smoking material according to any one of the preceding claims, wherein said smoking material further comprises a mechanical stabiliser or strengthening material, an expansion medium or a high fat or high oil containing material.

17. A smoking material according to Claim 16, wherein said material further comprises one or more of cocoa, sugar, fibre, starch, pullulan, other polysaccharide expansion agents, foaming agents, cocoa butter, olive oil and corn oil.
18. A smoking article comprising a smokable rod and a filter, said rod comprising a core and an outer part, said core comprising a first particulate smoking material and a first cigarette paper wrapper enwrapping said first smoking material and said outer part comprising a second particulate smoking material disposed annularly about said core and a second cigarette paper wrapper enwrapping said second smoking material, wherein either of said first or said second smoking material comprises a non-polyol aerosol generator, up to 20% by weight tobacco, binder at not more than 20% by weight and not less than 30% by weight inorganic filler.
19. A smoking article according to Claim 18, wherein said smoking material of either of said first or second smoking material comprises a smoking material in accordance with any one of Claims 2 to 17.
20. A smoking article according to Claim 18 or 19, wherein said second smoking material is said smoking material according to any one of Claims 1 to 17.
21. A smoking article according to Claim 18 or 19, wherein both said first and said second smoking materials comprises a proportion of a smoking material comprising a non-polyol aerosol generator, up to 20% by weight tobacco,

binder at not more than 20% by weight and not less than 30% by weight inorganic filler.

22. A smoking article according to any one of Claims 18-21, wherein the other of said first or second smoking material is cut tobacco filler.
23. A smoking article according to any one of Claims 18-22, wherein both said core and said outer part of said smokable rod extend over the full length of said rod.
24. A smoking article according to any one of Claims 18-23, wherein said core is disposed coaxially of said rod.
25. A smoking article comprising a smokable rod and a filter, the smokable rod comprising smoking material and the filter comprising filtration material provided with an elutable aerosol generator which is a polyol and/or a non-polyol aerosol generator, the aerosol generator being elutable from the filter upon smoking of the smoking article to enhance the aerosol provided from the smoking material.
26. A smoking article according to Claim 25, wherein said rod comprises an axially arranged core disposed within an annulus.
27. A smoking article according to Claims 25 or 26, wherein said smoking material comprises an aerosol generator, a binder and an inorganic filler.
28. A smoking article according to Claim 27, wherein said smoking material is the smoking material described in any one of Claims 1 to 17.

29. A smoking material substantially as hereinabove described with reference to any one of Examples 1 to 6 hereof.
30. A smoking article substantially as hereinabove described with reference to any one of Examples 1 to 6 hereof.

# DECLARATION UNDER 37 C.F.R. 1.63 AND APPOINTMENT OF POWER OF ATTORNEY

As a below-named inventor, I hereby declare the following:

- My residence, post office address and citizenship are as stated below, next to my name.
- I believe that I am an original, first and sole or joint inventor (if more than one inventor is listed) of the subject matter which is claimed and for which a patent is sought on an invention entitled **SMOKING ARTICLE AND SMOKING ARTICLE MATERIAL THEREFOR**, the specification of which: (check one)

Y is attached hereto.

was filed on \_\_\_\_\_

as Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_

- I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred-to above.

- I acknowledge my duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

- I hereby claim foreign priority benefits under Title 35, U.S.C. Sections 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>9712815.1</u>	<u>GB</u>	<u>19 JUN 1997</u>	<u>X</u>	
(Number)	(Country)	Filing Date (Day/Month/Year)	(Yes)	(No)
_____	_____	_____	_____	_____
(Number)	(Country)	Filing Date (Day/Month/Year)	(Yes)	(No)

- I hereby claim domestic priority benefits under 35 USC §119(e) of any United States provisional Application(s) listed below:

Application Number

Filing Date

\_\_\_\_\_

• I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or other PCT international filing date of this application:

<u>U.S. Parent Application or PCT Parent Number</u>	<u>Parent Filing Date</u> Filing Date (Day/Month/Year)	<u>Parent Patent Number</u> (if applicable)
PCT/GB98/01586	29 May 1998	

• I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Section 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

• I hereby appoint James R. Higgins, Jr., Reg. No. 29,264, Charles G. Lamb, Reg. No. 24,783, John F. Salazar, Reg. No. 39,353, Jeffrey A. Haeberlin, Reg. No. 40,630, David Clement, Reg. No. 44,082 and Thomas B. McGurk, Reg. No. 44,920 as my attorneys, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith, and I request that all communications concerning this application be addressed to

John F. Salazar  
Middleton and Reutlinger, P.S.C.  
2500 Brown & Williamson Tower  
Louisville, Kentucky 40202  
telephone (502) 584-1135, fax (502) 561-0442



Full name of joint inventor

Bhasker NATARAJAN

Inventor's Signature:

Bhasker Natarajan (Bhasker Natarajan)

Date:

Dec 1, 1999

Residence:

220 Fox Hollow Drive, Mayfield Heights, OH 44124

OH

Citizenship:

India

P.O. Address:

220 Fox Hollow Drive, Mayfield Heights, OH 44124

100 Full name of joint inventor: Philip John BIGGS

Inventor's Signature: Philip John Biggs

Date: 19/11/99

Residence: 66 Laburnum Crescent, Hythe, Southampton SO45 3PN, United Kingdom GBX

Citizenship: British

P.O. Address: 66 Laburnum Crescent, Hythe, Southampton SO45 3PN, United Kingdom

200 Full name of joint inventor: Richard Thomas GILBERT

Inventor's Signature: Richard Thomas Gilbert

Date: 19/11/99

Residence: 8 Stella Court, Coxford Road, Lordswood, Southampton SO16 5SL, United Kingdom GBX

Citizenship: British

P.O. Address: 8 Stella Court, Coxford Road, Lordswood, Southampton SO16 5SL, United Kingdom

300 Full name of joint inventor: Kevin Gerard McADAM

Inventor's Signature: Kevin Gerard McAdam

Date: 19/11/99

Residence: 68 Angelica Way, Whiteley, Fareham PO15 7HZ, United Kingdom GBX

Citizenship: British

P.O. Address: 68 Angelica Way, Whiteley, Fareham PO15 7HZ, United Kingdom